

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MITCHELL KEITH GOODRUM,

Plaintiff

v.

FALLON POLICE DEPARTMENT, et. al.,

Defendants.

Case No. 3:23-CV-00520-RCJ-CLB

**ORDER TO PAY FILING FEE
OR FILE APPLICATION TO
PROCEED *IN FORMA PAUPERIS***

I. DISCUSSION

On October 25, 2023, Plaintiff Mitchell Keith Goodrum ("Goodrum"), an inmate in the custody of Nevada Department of Corrections filed a civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1-1.) Goodrum has neither paid the full \$402 filing fee for this matter nor filed an application to proceed *in forma pauperis*.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to begin a civil action in this Court may apply to proceed *in forma pauperis* in order to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

The Court will grant Goodrum a **one-time** opportunity to file a fully complete application to proceed *in forma pauperis* containing all three of the required documents, or in the alternative, pay the full \$402 filing fee for this action on or before **Monday**,

1 **November 27, 2023.** Absent unusual circumstances, the Court will not grant any further
2 extensions of time.

3 If Goodrum is unable to file a fully complete application to proceed *in forma*
4 *pauperis* with all three required documents or pay the full \$402 filing fee on or before
5 **Monday, November 27, 2023**, this case will be subject to dismissal without prejudice for
6 Goodrum to file a new case with the Court when Goodrum is either able to acquire all
7 three of the documents needed to file a fully complete application to proceed *in forma*
8 *pauperis* or pays the full \$402 filing fee.

9 A dismissal without prejudice means Goodrum does not give up the right to refile
10 the case with the Court, under a new case number, when Goodrum has all three
11 documents needed to submit with an application to proceed *in forma pauperis*.
12 Alternatively, Goodrum may choose not to file an application to proceed *in forma pauperis*
13 and instead pay the full filing fee of \$402 on or before **Monday, November 27, 2023** to
14 proceed with this case.

15 The Court will retain Goodrum's complaint (ECF No. 1-1), but the Court will not file
16 the complaint unless and until Goodrum timely files a fully complete application to proceed
17 *in forma pauperis* with all three documents or pays the full \$402 filing fee.

18 **II. CONCLUSION**

19 For the foregoing reasons, **IT IS ORDERED** that the Clerk of the Court will **SEND**
20 Goodrum the approved form application to proceed *in forma pauperis* by an inmate, as
21 well as the document entitled information and instructions for filing an *in forma pauperis*
22 application.

23 **IT IS FURTHER ORDERED** that on or before **Monday, November 27, 2023**,
24 Goodrum will either pay the full \$402 filing fee for a civil action (which includes the \$350
25 filing fee and the \$52 administrative fee) or file with the Court:

- 26 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this
27 Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two
28 signatures on page 3),

1 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail
2 official (i.e. page 4 of this Court's approved form), and

3 (3) a copy of the **inmate's prison or jail trust fund account statement for the**
4 **previous six-month period.**

5 **IT IS FURTHER ORDERED** that, if Goodrum does not file a fully complete
6 application to proceed *in forma pauperis* with all three documents or pay the full \$402
7 filing fee for a civil action on or before **Monday, November 27, 2023**, this case will be
8 subject to dismissal without prejudice for Goodrum to refile the case with the Court, under
9 a new case number, when Goodrum has all three documents needed to file a complete
10 application to proceed *in forma pauperis* or pays the full \$402 filing fee.

11 **IT IS FURTHER ORDERED** that the Clerk of the Court will retain the complaint
12 (ECF No. 1-1) but will not file it at this time.

13 **IT IS SO ORDERED.**

14 **DATED:** October 25, 2023.

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17 **UNITED STATES MAGISTRATE JUDGE**
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